

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert David ALLEN et al.

Serial No.: 10/729,169

Filing Date: December 4, 2003

Title: LOW ACTIVATION ENERGY PHOTORESISTS

Confirmation No.: 8945

Group Art Unit: 1713

Examiner: Unassigned

REQUEST FOR REFUND AND RESPONSE TO  
WITHDRAWAL OF PREVIOUSLY SENT NOTICE

Commissioner for Patents  
P.O. Box 1450  
Deposit Account  
Mail Stop 16  
Alexandria, VA 22313-1450

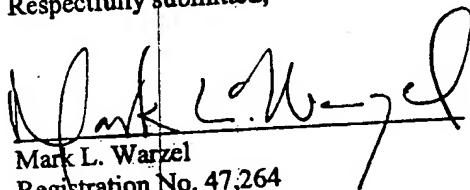
Sir:

Applicants respectfully request a refund of fees paid to the U.S. Patent & Trademark Office due to an error on the part of the Office based on the circumstances summarized as follows:

- 1) On March 15, 2004, a Notice to File Corrected Application Papers was sent to applicants indicating that replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 were required;
- 2) On June 15, 2004, in response to the Notice, applicants filed a Petition and Request for an Extension of Time charging International Business Machines Deposit Account No. 09-0441 in the amount of \$240 for the Petition and Extension of Time;
- 3) On July 28, 2004 a notice of Withdrawal of Previously Sent Notice was sent to applicants indicating that the Notice sent on March 15, 2004 was sent in error and that applicants were requested to disregard the Notice of March 15th.

Due to the error on the part of the U.S. Patent & Trademark Office in sending the Notice on March 15, 2004, applicants have been required to respond to this Notice, and have paid an amount of \$240 that was not necessary. Applicants respectfully submit that the fee of \$240 applicants paid in error should be refunded to them and request that this amount be credited to the International Business Machines Deposit Account No. 09-0441.

Respectfully submitted,

  
By:   
Mark L. Warzel  
Registration No. 47,264

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Approved for use through 08/30/2003. OMB 0651-0031  
PTO/SB/21 (08-03)

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Mail Stop 16

Application Number	10/729,169
Filing Date	December 4, 2003
First Named Inventor	Robert David Allen
Art Unit	1713
Examiner Name	Unassigned
Attorney Docket Number	ARC920030103US1

DATE REC'D. IN MAIL ROOM  
R&E No. 5075-0041  
10/24 OCT 5 PM 11:34

### ENCLOSURES (Check all that apply)

- No fee due
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  - Fee Transmittal
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- Charge any underpayment or credit any overpayment to Deposit Account No. 09-0441
- Return postcard
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
  - Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement & Form(s) PTO-1449
  - Copy(ies) of cited reference(s)
- Certified Copy of Priority Document(s)
- Response to Missing Parts / Incomplete Application
  - Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation, Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s):

- After Allowance Communication to a Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):  
Request for Refund and Response to Withdrawal of Previously Sent Notice

### Remarks:

The Commissioner is hereby authorized to charge any additional or underpayment of fee(s) to Deposit Account No. 09-0441.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type)

Mark L. Warzel, Reg. No. 47,264  
Reed & Eberle LLP

Telephone (650) 330-0900

Signature

Date September 29, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type) Joe Clark

Date

September 29, 2004

Signature

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